

### REMARKS

Claims 8 and 10 to 21 are pending in the application, of which claims 8 and 19 are independent. Favorable reconsideration and further examination are respectfully requested.

An interview was conducted on July 22, 2004 and distinctions between the prior art and the applicant's amended claims were discussed. Specifically, Applicants proposed amending the independent claims so that the gate dielectric layer has "a cross-sectional area substantially similar to a cross-sectional area of the gate electrode". The Examiner indicated that this feature was not found in the applied art, but that further searching may be necessary. Accordingly, Applicants have amended the claims to include the proposed feature. As discussed during the interview, Applicants believe that the claims, as amended, are patentable.

Each of the dependent claims is also believed to define patentable features of the invention. Each dependent claim partakes of the novelty of its corresponding independent claim and, as such, has not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant : Been-Yih Jin et al.  
Serial No: 10/081,992  
Filed : February 21, 2002  
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Attorney's Docket No.: 10559-587001  
Intel Docket No.: P12768

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.


Applicants' undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at 617-521-7896.

Please apply any fees or credits due in this case to Deposit Account 06-1050 referencing Attorney Docket No. 10559-587001.

Respectfully submitted,

Date: \_\_\_\_\_

August 18, 2004

  
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